

Calendar No. 1988

82D CONGRESS
2d Session

SENATE

REPORT
No. 2059

MARY IZUMI

JULY 2 (legislative day, JUNE 27), 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 850]

The Committee on the Judiciary, to which was referred the bill (H. R. 850) for the relief of Mary Izumi, having considered the same, report favorably thereon, without amendment, and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the racial barrier for admission into the United States in behalf of the minor half-Japanese child to be adopted by citizens of the United States. The child would be considered to be a nonquota immigrant, which is the status normally enjoyed by the alien minor children of United States citizens.

STATEMENT OF FACTS

The beneficiary of the bill was born in Japan on May 27, 1950, of a Japanese mother and a white father. The child was placed in an orphanage in Japan under the care of the United Church of Christ in Japan. Upon entry into the United States the child would be adopted by Dr. and Mrs. Harry A. DeWire. Dr. DeWire is a minister in the Evangelical United Brethren Church, Reading, Pa.

A letter dated February 21, 1951, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

FEBRUARY 21, 1951.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice with respect to the bill (H. R. 850) for the relief of Mary Izumi, an alien.

The bill would provide that, in the administration of the immigration laws, the provisions of section 13 (c) of the Immigration Act of 1924, as amended, shall not apply to Mary Izumi, and that she shall be considered to be the alien natural-born child of Harry A. DeWire, a United States citizen.

The files of the Immigration and Naturalization Service of this Department disclose that Mary Izumi now resides at the Orphan Asylum of the Evangelic United Brethren Church, of Kazo, Japan, and that a nurse connected with the orphanage has stated that the child was born on or about May 27, 1950, apparently is a native of Japan, and appears to be of white and Japanese parentage; that on July 27, 1950, a Japanese woman, giving her last name as "Izumi" and who claimed to be the child's mother, requested the orphanage to take care of the child; that this Japanese woman abandoned the baby near the orphanage. The child was then placed in the orphanage, was given the name of Mary by the orphanage officials and has since been known as Mary Izumi.

Further the files reveal that Mr. and Mrs. Harry A. DeWire, of Reading, Pa., were interviewed and stated that they are native-born citizens of the United States; that Mr. DeWire was born in Scranton, Pa., on April 24, 1914, and Mrs. DeWire was born in Pinegrove, Pa., on July 17, 1917; that Mr. DeWire received his final ordination in the United Brethren Church in 1942 but has been a licensed minister since 1935; that for the past 3 years he has taught theology at the church seminary in Reading, Pa.; and that he is supplied a home by the church and paid a yearly salary of \$3,000. Mr. DeWire expects to receive his Ph. D. degree at Boston University in June 1951. He has stated that he and his wife are applying for permission to adopt Mary Izumi and eventually hope to obtain permission to bring her to this country; that they have a 3-year-old adopted son and desire to take another child as a companion for him; and that they learned of Mary Izumi through the orphanage nurse mentioned above.

Since the infant beneficiary of the bill is racially ineligible to United States citizenship under section 303 of the Nationality Act of 1940, she may not be admitted for permanent residence under section 13 (c) of the Immigration Act of 1924. Assuming that satisfactory assurance is presented by Mr. and Mrs. DeWire that they will adopt the child upon her admission to this country, it is the view of the Department of Justice that whether the bill should be enacted involves a matter of legislative policy concerning which it prefers not to make any recommendation. If the bill is to receive favorable consideration, however, it is suggested that it be amended by inserting after the word "and" in line 5, the following: "for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924."

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Congressman George M. Rhodes, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and submitted the following affidavit in connection with the bill:

THE EVANGELICAL SCHOOL OF THEOLOGY,
DEPARTMENT OF CHRISTIAN EDUCATION,
Reading, Pa., August 8, 1951.

HON. GEORGE M. RHODES,
House Office Building, Washington, D. C.

To Whom It May Concern:

It is our desire to adopt Mary Izumi, a Japanese citizen now a resident of a children's orphanage in Saitama Prefecture, Japan. We will be willing to take steps immediately to make the adoption legal.

HARRY A. DEWIRE,
MARIAN H. DEWIRE,
1425 North Twelfth Street, Reading, Pa.

Sworn to and subscribed before me this 9th day of August 1951.

[SEAL]

MARIE M. KLEPPINGER,
Notary Public.

In addition, the following information has been submitted to the chairman of the Senate Committee on the Judiciary in connection with the bill:

THE EVANGELICAL SCHOOL OF THEOLOGY,
Reading, Pa., March 29, 1952.

HON. PAT McCARRAN,
Senate Office Building, Washington, D. C.

DEAR SENATOR McCARRAN: There is now before the Senate Committee on the Judiciary a bill on behalf of Mary Izumi, a Japanese child we are quite anxious to adopt into our home. Congressman George M. Rhodes has been instrumental in presenting the bill to the House of Representatives, which passed it last November. As I understand, your committee now raises the question concerning the scope and involvement of interest in bringing Mary to this country as a citizen.

Although my wife and I have taken the initiative in this matter, and have worked alone with Congressman Rhodes, we have viewed the whole procedure as something more than a personal matter. We have a deep interest in the work of our church, and feel that this is somewhat of a missionary venture that involves considerably more people. Mary is in our denomination's orphanage at Kazo-Machi, where we (the church) assume total responsibility for her. Miss Anna Renninger, now in Reading, Pa., has been with Mary, and it was through her that we learned of this opportunity. We have been in constant contact with Miss Gertrud Kuecklich, the superintendent of the orphanage. My resident bishop, the executive secretary of the board of missions, and other general officers in our church have a personal interest in our plans, and have always given us the utmost encouragement. I am having Bishop Epp, Dr. Carl Heinmiller, and Miss Renninger write to you stating their point of view.

You probably have been interested in our motives underlying our interest in Mary. We have adopted one little boy, and have wished to adopt another. Knowing that here there are about 10 adoptive parents for every child available, we wished to try to bring into our home someone who needs us as much as we need her. We have viewed this also as a ministry to the church, and an opportunity to bring help to crowded conditions that exist in our work in Japan.

Please know that we understand the many involvements you face in this issue, and we are only concerned that any decision will be made with wisdom and understanding. Be assured of my personal good wishes in behalf of your work. Thank you for giving this your attention.

Cordially,

HARRY DEWIRE.

READING, PA., March 31, 1952.

Senator PAT McCARRAN,
Senate Office Building, Washington, D. C.

DEAR SENATOR McCARRAN: I am writing this at the request of Rev. and Mrs. Harry DeWire of this city who are interested in the adoption of Mary Izumi, an orphan in the orphanage in Kazo-Machi, Saitama Prefecture, Japan.

I have worked as a nurse in the orphanage in Kazo for more than a year before returning to the States in October 1951; and became greatly attached to the child. She is worthy of adoption and needs a home badly, which the DeWires are well able to give her. It was through correspondence with them while in the orphanage that they became especially interested in this particular child, and have been negotiating since that time for her adoption.

I shall greatly appreciate your help in this matter. Thank you for same.

Yours truly,

ANNA M. RENNINGER.

DEPARTMENT OF WORLD MISSIONS,
THE EVANGELICAL UNITED BRETHREN CHURCH,
Dayton, Ohio, April 4, 1952.

Hon. Senator PAT McCARRAN,
Chairman of the Senate Committee on the Judiciary,
Senate Office Building, Washington, D. C.

DEAR SENATOR McCARRAN: We have for a long while been aware of the desire of Dr. and Mrs. Harry DeWire to bring to their home Mary Izumi, a Japanese child now being cared for in our Aisenryo Orphanage at Kazo-Machi, Japan. We were prepared to make arrangements for one of our missionaries to bring the

child to the United States when this missionary returned for furlough, but in view of the legal hindrances thereto we abandoned this plan.

The interest of our department and also my personal interest lies in the long-range effect which such an act on the part of Dr. and Mrs. DeWire would have as an unselfish venture in human relations on an international and interracial level. We feel certain that nothing but good could come of such a gesture and earnestly hope that your committee will be able to assist in this through the passage of the necessary resolution.

Thank you for your interest and assistance in this matter.

With kind regards,
Sincerely yours,

CARL HEIMMILLER,
Executive Secretary.

THE BOARD OF BISHOPS,
THE EVANGELICAL UNITED BRETHREN CHURCH,
Harrisburg, Pa., April 3, 1952.

Senator PAT McCARRAN,
*Chairman, Senate Committee on the Judiciary,
Senate Office Building, Washington, D. C.*

DEAR SENATOR McCARRAN: I am writing today in the interest of Dr. and Mrs. Harry DeWire, the former being a minister in the Evangelical United Brethren Church, serving as the head of the department of Christian education at the Evangelical School of Theology, Reading, Pa.

I am informed that last November the bill to permit the entrance of a Japanese girl, Mary Izumi, to the United States to be adopted by Dr. and Mrs. DeWire, was passed by the House and is now in your committee for consideration.

May I say, therefore, that I know Dr. and Mrs. Harry DeWire and have known them for a goodly number of years. They are persons of most excellent Christian character.

The work in the orphanage, Kazo-Machi near Tokyo, in which place this child, Mary Izumi, is presently placed, is one of the Christian benevolent institutions of the United Church of Christ in Japan under the direction of one of our missionaries, Miss Gertrud Kuecklich. For three quadrenniums I served as missionary secretary of our denomination, have been in Japan and know the work of this institution above referred to.

I trust that you may give favorable consideration to the bill and recommend its adoption by the Senate.

Sincerely yours,

G. E. EPP,
Bishop of the Eastern Area.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 850) should be enacted.

